

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

IN RE: ) CASE NO.: 10-93904-BHL-11  
)  
EASTERN LIVESTOCK CO., LLC, )  
)  
Debtor. )

**AGREED MOTION TO CONTINUE TELEPHONIC HEARING  
SCHEDULED FOR SEPTEMBER 28, 2011**

The United States of America, United States Department of Agriculture (“USDA”), by counsel, Joseph H. Hogsett, United States Attorney for the Southern District of Indiana, and Jeffrey L. Hunter, Assistant United States Attorney, and Walter S. Newbern, III counsel for Florida Association Livestock Markets, respectfully requests that the Court continue the telephonic hearing scheduled for September 28, 2011, at 10:00 a.m., for a period of approximately thirty (30) days. In support thereof, the parties advise the Court of the following:

1. This case is set for a telephonic hearing on September 28, 2011, on the Motion to Quash Order Granting Motion for 2004 Examination upon the United States Department of Agriculture, Grain Inspection, Packers & Stockyards, accompanying brief filed by the United States and Creditor, Florida Association Livestock Markets’ Response in Opposition to Motion to Quash.
2. Some progress has been made regarding a resolution of the matters at issue; the parties anticipate additional progress will be made.
3. In addition, Mr. Newbern has a personal matter that conflicts with the scheduled conference.

4. In light of the above, in the interest of efficiency, the telephonic hearing should be continued in order to permit time for the parties to resolve all matters that they can resolve without need for action by the Court.

WHEREFORE, the parties respectfully request that the telephonic hearing on the Motion to Quash Order Granting Motion for 2004 Examination upon the United States Department of Agriculture, Grain Inspection, Packers & Stockyards, accompanying brief filed by the United States and Creditor, Florida Association Livestock Markets' Response in Opposition to Motion to Quash, currently set for September 28, 2011, at 10:00 a.m., be continued for a period of approximately thirty days.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 27, 2011, a copy of the foregoing AGREED MOTION TO CONTINUE TELEPHONIC HEARING SCHEDULED FOR SEPTEMBER 28, 2011, was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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